

REMARKS

These remarks are responsive to the Office Action dated February 12, 2003.

Claims 1-39 were pending in the present application. Claims 14-39 have been withdrawn from consideration by the Examiner as being drawn to a non-elected invention.

Claims 1-13 have been rejected. Claims 1-6, 8, 10, and 13 have been amended for clarification, as well as to correct typographical and grammatical errors. Claim 7 has been canceled. New claims 40-42 have been added. Accordingly, claims 1-6, 8-13, and 40-42 are pending. For the reasons set forth more fully below, Applicant respectfully submits that the remaining claims are allowable. Consequently, reconsideration, allowance and passage to issue are respectfully requested.

Applicant has included a Petition for Extension of Time to extend the deadline for filing a response by three (3) months from May 12, 2003 to August 12, 2003.

Objections

The Examiner has stated:

Claim 5 is objected to because of the following informalities:
In line 2, it is not clear how sales data can be "collected by an on-line inventory".
Appropriate correction is required.

In response, claim 5 has been amended to address the above-referenced objection. Specifically, claim 5 has been amended to clarify that the sales data is collected by an on-line inventory "database." Support for claim 5 is found throughout the specification, and in particular, on page 6, lines 21-23. Applicant respectfully submits that no new matter has been presented.

35 USC §101 Rejections

The Examiner has stated:

Claims 1-4, 6-10 and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

...

Although the recited process produces a useful, concrete, and tangible result, since the claimed invention, as a whole, is not within the technological arts as explained above, the claims are deemed to be directed to non-statutory subject matter.

It is suggested by the Examiner that the applicant relate the claims to the technological arts by linking the method steps to a computer. For example, in claim 1, line 1, it is suggested, "A method" be changed to –A computerized method–; and in line 8, "time frame" be changed to –time frame using a processor–.

Applicant has amended claim 1-4, 6, 8, 10, and 13 as suggested by the Examiner. Specifically, in claim 1, "A method" has been changed to "A computerized method" and the term "time frame" has been changed to "time frame using a processor." Also, claims 2-4, 6, 8, 10, and 13 have been amended to explicitly state that a "processor" is used. Applicant respectfully submits that claims 1-4, 6, 8, 10, and 31, as amended, are now directed to statutory subject matter and thus comply with 35 U.S.C. 101. Claims 7 and 9 depend from claims 1 and 8, respectively. Accordingly, claims 7 and 9 also comply with 35 U.S.C. 101 for same reasons as claims 1 and 8.

35 USC §103 Rejections

The Examiner has stated:

Claims 1-13 are rejected under 35 USC 103(a) as being unpatentable over Kagami et al.

Kagami et al. teach the limitations of the claim 1 (see specifically Fig. 2, and Col. 5, lines 6-41) except the specific teaching of "notifying an interested party" (the reference only teaches giving "advice to modify"; Col. 5, lines 40-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kagami et al. to notify "an interested party" of the advice to modify the inventory control system, in order to provide a manager with the necessary information to act on the advice and hence change the system to improve the system's future accuracy.

Applicant respectfully traverses the Examiner's rejections.

Claim 1

Amended independent claim 1 is provided below for ease of review.

1. (currently amended) A computerized method for analyzing inventory information using time frames, the method comprising the steps of:
 - determining estimated sales projections for individual items, wherein each individual item has a corresponding time frame;
 - adjusting the corresponding time frame for a particular individual item if the estimated sales projection for the particular individual item does not exceed a minimum criteria;
 - collecting sales data for said individual items in said corresponding time frames;
 - analyzing sales data collected for said individual items in said corresponding time frames with said estimated sales projections for said individual items in said corresponding time frames; and
 - notifying an interested party or a system regarding any items of said individual items in said corresponding time frames that have performed unexpectedly versus said estimated sales projections.

Kagami discloses an inventory control method that warns against the excess or deficiency of a stock of goods. Kagami groups goods into classes where each class exhibits a similar life cycle or specific character of sale results. Each day the sales results are monitored and compared to the change of sales, which is forecasted using a sales change model pattern of each class. If the accuracy of the forecasted sales is poor, the sales change model pattern is modified and used to determine a stock warning index. The stock warning index is a report that provides information on the excess or deficiency of stock (Summary, Fig. 2, and column 5, lines 6-41).

However, Kagami does not teach or suggest the step of “adjusting the corresponding time frame for a particular individual item if the estimated sales projection for the particular individual item does not exceed a minimum criteria,” as recited in amended independent claim 1. In a preferred embodiment, a minimum criteria can be that the sales projection for the particular individual item is statistically relevant.

Adjusting the corresponding time frame based on a minimum criteria enables useful monitoring of the particular individual item during relevant times. If the sales projection of the particular individual item is not statistically relevant for a particular time of day, e.g., 3:00 pm-5:00 pm on a Monday, the corresponding time frame for that particular individual item could be expanded until the sales projection becomes statistically relevant, i.e., meets the minimum criteria (specification, page 10, line 20, to page 12, line 8). Nowhere does Kagami teach this feature, and because so, Kagami cannot provide this benefit. Therefore, Kagami fails to teach or suggest the adjusting step, including the minimum criteria, *in combination with* the other steps recited in amended independent claim 1.

Furthermore, Kagami does not teach or suggest analyzing inventory information for a particular individual item, as recited in claim 1. Instead, Kagami describes analyzing sales projections for a class of goods (column 5, lines 6-16). This distinction is important because Kagami does not enable the monitoring of a particular individual good during an individual corresponding time frame. Figures 2, 8, 9, 12, and 13 and the corresponding text of Kagami teaches that classes of goods are monitored. Kagami outputs one report (i.e., the stock warning index) that ranks goods according to excess or deficiency in stock. The results of the analysis for each class can be updated for the report at the time the report is made. Nothing in Kagami teaches monitoring individual items separately. Accordingly, since Kagami does not teach or suggest the monitoring of a particular individual item having a corresponding sales projection, Kagami does not teach or suggest adjusting the corresponding time frame for a particular individual item if the estimated sales projection for the particular individual item does not exceed a

If Kagami teaches a "class of goods", it has to monitor each good.

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minimum criteria. For at least these reasons, Kagami fails to teach or suggest the adjusting step *in combination with* the other steps recited in amended independent claim 1. Therefore, amended claim 1 is allowable over Kagami.

Dependent claims

Dependent claims 2-6 and 8-16 depend from amended independent claim 1. Accordingly, the above-articulated arguments related to claim 1 apply with equal force to claims 2-6 and 8-16 and are thus allowable over the cited reference for at least the same reasons as claim 1.

New Claims 40-42

New independent claims 40-42 have been added to further define the scope and novelty of the present invention. Specifically, new claim 40 recites, “threshold for triggering the notifying step is not based on a model pattern for a group of individual items.” Support for claim 40 is found throughout the specification, and in particular, on page 13, line 16, to page 14, line 20.

New claim 41 recites, “said corresponding time frames are independent of each other. Support for claim 41 is found throughout the specification, and in particular, on page 9, line 11, to page 10, line 19.

New claim 42 recites, “wherein the minimum criteria is that the sales projection for the particular individual item is statistically relevant.” Support for claim 42 is found on page 11, lines 1-11.

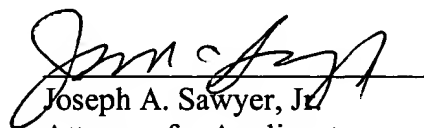
Applicant respectfully submits that no new matter has been presented. Accordingly, claims 40-42 are allowable over the cited reference. Furthermore, new dependent claims 40-42 depend from amended independent claim 1 and are thus allowable for at least the same reasons as claim 1.

Conclusion

In view of the foregoing, Applicant submits that claims 1-6, 8-13, and 40-42 are patentable over the cited reference. Applicant, therefore, respectfully requests reconsideration and allowance of the claims as now presented.

Applicant's attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,



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